



**SAN MATEO COUNTY  
BOARD OF SUPERVISORS  
LEGISLATIVE COMMITTEE**

**Rose Jacobs Gibson, Chair  
Adrienne Tissier, Vice-Chair**

*Mary McMillan, Deputy County Manager  
John Beiers, Chief Deputy County Counsel  
400 County Center, First Floor  
Redwood City, CA 94063  
650-363-4123*

A COPY OF THE SAN MATEO COUNTY LEGISLATIVE COMMITTEE AGENDA PACKET IS AVAILABLE FOR REVIEW AT THE COUNTY MANAGER'S OFFICE, HALL OF JUSTICE, 400 COUNTY CENTER, FIRST FLOOR. THE COUNTY MANAGER'S OFFICE IS OPEN MONDAY THRU FRIDAY 8 A.M. - 5 P.M., SATURDAY AND SUNDAY – CLOSED.

MEETINGS ARE ACCESSIBLE TO PEOPLE WITH DISABILITIES. INDIVIDUALS WHO NEED SPECIAL ASSISTANCE OR A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION (INCLUDING AUXILIARY AIDS OR SERVICES) TO PARTICIPATE IN THIS MEETING, OR WHO HAVE A DISABILITY AND WISH TO REQUEST AN ALTERNATIVE FORMAT FOR THE AGENDA, MEETING NOTICE, AGENDA PACKET OR OTHER WRITINGS THAT MAY BE DISTRIBUTED AT THE MEETING, SHOULD CONTACT CONNIE JUAREZ-DIROLL, INTERGOVERNMENTAL AFFAIRS ADMINISTRATIVE ASSISTANT AT LEAST 2 WORKING DAYS BEFORE THE MEETING AT (650) 599-1341 AND/OR CJuarez-Drioll@co.sanmateo.ca.us NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE COUNTY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING AND THE MATERIALS RELATED TO IT. ATTENDEES TO THIS MEETING ARE REMINDED THAT OTHER ATTENDEES MAY BE SENSITIVE TO VARIOUS CHEMICAL BASED PRODUCTS.

*If you wish to speak to the Committee, please fill out a speaker's slip. If you have anything that you wish distributed to the Board and included in the official record, please hand it to the Legislative Coordinator who will distribute the information to the Board members and staff.*

TO: Legislative Committee

FROM: Ross Nakasone, Legislative Coordinator

SUBJECT: Legislative Committee Meeting Agenda for August 6, 2007

DATE: August 3, 2007

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**Meeting Date and Time:** August 6, 2007, 2:00 pm

**Place:** Board Conference Room, Office of the Board of Supervisors  
First Floor, 400 County Center, Redwood City, California

1. Call to order
2. Minutes for the Legislative Committee Meeting of July 24, 2007
3. Oral Communications and Public Comment
4. SCA 12 (Torlakson, Yee), Local government: property-related fees—**Attachment I**
5. Amendment to the 2007-2008 State Legislative Session Program to include a proposal regarding county corrections model for female offenders—**Attachment II, III, IV**
6. Discussion and possible action on Agenda Items for Future Meetings
7. Adjournment



**SAN MATEO COUNTY  
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LEGISLATIVE COMMITTEE**

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*Mary McMillan, Deputy County Manager  
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400 County Center  
Redwood City, CA 94063  
650-363-1345*

A COPY OF THE SAN MATEO COUNTY LEGISLATIVE COMMITTEE AGENDA PACKET IS AVAILABLE FOR REVIEW AT THE CLERK OF THE BOARDS OFFICE, HALL OF JUSTICE, 400 COUNTY CENTER, FIRST FLOOR. THE CLERK OF THE BOARDS OFFICE IS OPEN MONDAY THRU FRIDAY 8 A.M. - 5 P.M., SATURDAY AND SUNDAY – CLOSED.

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*If you wish to speak to the Committee, please fill out a speaker's slip. If you have anything that you wish distributed to the Board and included in the official record, please hand it to the Legislative Coordinator who will distribute the information to the Board members and staff.*

TO: Legislative Committee

FROM: Connie Juarez-Diroll, Intergovernmental Affairs Administrative Assistant

SUBJECT: Legislative Committee Meeting Agenda **MINUTES** for July 24, 2007

DATE: August 3, 2007

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**Meeting Date and Time:** July 24, 2007, 3:00 pm

**Place:** Board Conference Room, Office of the Board of Supervisors  
First Floor, 400 County Center, Redwood City, California

**1. Call to order**

President Jacobs called the meeting to order. Supervisor Tissier was also present.

**2. Approval of the Minutes for the Legislative Committee Meetings of June 11, 2007**

The Committee approved the minutes.

**MATTERS SET FOR SPECIFIED TIME**

**4. 3:00 pm Update from the County's state legislative advocate—Attachment I**

The legislative committee recommended that there be no change in the County's support of AB 423 (Beall).

Foster care regional rates should start anew next year to get better traction.

**REGULAR AGENDA**

**5. Discussion and possible action on the FY 2007-08 State Budget Update—Attachment II, III, IV**

The Assembly passed a budget. The Senate has not reached agreement and is asking for \$700 million dollars in across the board cuts. The Democrats need two Republicans to vote for the budget and, so far, only have the support of Senator Abel Maldonado. At this point, any changes to the budget would be coming from Republicans and there is no indication about any proposed changes. The Democrats are not proposing any changes. Any changes by Republicans to the budget would require the bill to go back to the Assembly.

**6. Discussion and possible action on Secure Community Reentry Facilities – CDCR “Webinar” and San Francisco Bay Area Regional Meeting—Attachment V**

Staff reported that the CDCR hosted a “Webinar” as a kick-off for regional meetings. San Francisco County is currently looking for money to renovate a facility in San Mateo County and utilize it on a regional basis. Discussion followed regarding on the September 19 Department of Corrections county visits and gender specific programming. Fiona Ma has made a commitment to move on the gender specific programming.

On the issue of corrections, it is too early to say what direction the three-judge panel will take. If they decide to impose caps and/or release due to overcrowding at the state level, it would translate into a slow-down in the transfer of people convicted locally of felonies and sentenced to state prison, and the decision of judges to sentence people to county jails. Either scenario would mean an increase in the local jail population. Counties with consent decrees and population caps could find themselves in litigation. Any recommendation from the panel will be further down the road. AB 81, a budget trailer bill, to be handled by the Probation Department contains two one-time \$5 million grants. The first is specific to Alameda County and the second is intended for an “urban county” targeted to the 18-25 year-old population and gang activity. It is recommended that County look into applying for one of the grants.

The Department of Corrections will be coming to San Mateo on September 19, 2007. It would be a good opportunity to try and address problems, including ways to do innovative services with the released population, opportunities to keep people in a range of custodies, and gender specific issues.

**7. Discussion and possible action on AB 8 (Nuñez, Perata), Health care coverage: employers and employees—Attachment VI, VII**

Staff reported on the bill. Speaker Nunez has made a commitment to work with everybody and it is possible that the Governor may sign it.

**8. Discussion and possible action on legislation regarding gender justice**

**9. Discussion and possible action on Agenda Items for Future Meetings and setting future meeting dates—Attachment VII**

Supervisor Tissier suggested holding hearings and/or inviting legislators and speakers to talk about policy issues in an effort to better respond to legislation and drive policy discussion.

**10. Oral Communications and Public Comment**

None.

**11. Adjournment**



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

Department of Public Works

**DATE:** July 27, 2007

**COMMITTEE MEETING DATE:** August 6, 2007

**TO:** Legislative Committee Members

**FROM:** Jim Porter, Director of Public Works, ext. 1421

**SUBJECT:** SCA 12 (Torkalson and Yee), Stormwater and Urban Runoff Service Fees

**RECOMMENDATION:**

Recommend the Board of Supervisors adopt a resolution in support of SCA 12 (Torkalson and Yee), Stormwater and Urban Runoff Service Fees.

**VISION ALIGNMENT:**

**Commitment:** Ensure basic health and safety for all

**Goal(s):** 5—Maintain and enhance the public safety for all.

Passage of SCA 12 (Torkalson and Yee) would facilitate local government's ability to impose or increase fees for stormwater improvements and urban runoff management and reduce the risk of flooding in areas with inadequate stormwater collection facilities.

**BACKGROUND:**

The California Constitution, with the exception of fees or charges for sewer, water, and refuse collection services, conditions the imposition or increase of a property-related fee or charge upon approval by either a majority vote of the owners of the properties subject to the fee or charge or, at the option of the agency imposing the fee or charge, by a 2/3 vote of the voters residing in the area affected by the fee or charge. This measure would additionally exclude fees and charges for stormwater and urban runoff management from these approval requirements for the imposition or increase of a property-related fee or charge.

**DISCUSSION:**

Increasingly strict regulation of pollutants from stormwater and urban runoff has significantly increased the costs faced by local agencies responsible for controlling

those pollutants, which can contaminate drinking water, despoil beaches, and endanger public health. Local agencies find themselves caught between the need to expend large amounts of money on stormwater runoff management and Proposition 218's prohibitively high requirements for approving fees to fund those efforts.

SCA 12 would essentially provide the same procedures for imposing or increasing charges for stormwater management improvements as those currently used for sewer, water, and solid waste fees, i.e., providing notice of the fee imposition or increase not less than 45 days prior to the Board holding a public hearing to consider protests. If a majority protest is received, the fee could not be imposed.

The Midcoast Stormwater Drainage Committee established by the Board has begun meeting and is in the process of identifying areas that are subject to frequent flooding. Passage of SCA 12 will facilitate establishment of fees to fund stormwater system improvements both on the coast and throughout the County and State.

Opposition to the bill comes from groups opposed to facilitating collection of property related fees by government.

**SUPPORT**

CSAC  
League of California Cities  
California Coastal Coalition

**OPPOSITION**

California Taxpayers' Association  
Howard Jarvis Taxpayers Association

**FISCAL IMPACT:**

Unknown.



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** August 3, 2007

**COMMITTEE MEETING DATE:** August 6, 2007

**TO:** Legislative Committee Members

**FROM:** Ross Nakasone, xt. 1345

**SUBJECT:** Amendment to the 2007-2008 State Legislative Session Program to include a proposal regarding county corrections model for female offenders

**RECOMMENDATION:**

Recommend that the Board of Supervisors adopt a resolution amending the 2007-2008 State Legislative Session Program to include a proposal regarding county corrections model for female offenders.

**VISION ALIGNMENT:**

**Commitment:** Ensure basic health and safety for all

**Goal(s):** 7—Maintain and enhance the public safety for all residents and visitors.

**BACKGROUND:**

As part of Shared Vision 2010, the County has undertaken several community conversations including the Women's Criminal Justice Summit (Summit). Held on February 22, 2007, the Summit convened over 250 people representing a wide array of interests. Stakeholders included the Commission on the Status of Women, San Mateo County Bar Association, the Domestic Violence Council, District Attorney, Chief Probation Officer, the Sheriff's Office, San Mateo County Courts, and the Women's Recovery Association.

The recommended actions from the Summit include:

- Support funding for community-based reentry and transitional services, including health care, housing, job training, substance abuse and mental health treatment with coordinated case management;
- Enhance training to integrate gender-responsive strategies throughout the correctional system from initial assessment to treatment programs and the need for facilities with sufficient capacity;

- Expand alternative sentencing options;
- Coordinate policy, programs and services that support the children and families of incarcerated women, and;
- Establish an inclusive community-stakeholder work group charged with developing strategic action plans, overseeing its implementation and reporting on outcomes for women's criminal justice system reforms.

The proposal regarding county corrections model for female offenders is intended to reflect many of the Summit's recommended actions.

**DISCUSSION:**

This proposal would create a five-year pilot project enabling participating counties to develop a process to secure up to a total of 1,000 community correctional center beds for nonviolent women offenders, and/or 1,000 community-based beds for alternatives to incarceration and/or 1,000 reentry beds and programming for nonviolent female offenders. This proposal would require participating county corrections to undertake various tasks related to female offenders and to develop comprehensive strategic plans and programs for prevention, early intervention, incarceration, incarceration alternatives, reentry and after care for female offenders. Female offenders convicted of nonviolent offenses would be housed in local community facilities during their term of incarceration, and participate in aftercare programs during probation. This bill would also require participating pilot counties to establish or rehabilitate community correctional centers to house inmates and probationers in accordance with the above provisions, develop community-based alternatives to incarceration and/or reentry beds for nonviolent female offenders.

As planning for construction of a new women's jail advances, this proposal would enable new and innovative opportunities for prevention, early intervention as well as alternatives to incarceration. The women's jail has a state-rated capacity of 84 inmates, but often hold more than 150 women. The number of female inmates can grow large enough to require use of a wing of the men's jail (Maguire Correctional Facility).

Growing research indicates that accommodating the needs of female offenders through gender-responsive strategies is critical to reducing recidivism. Strategies include increased counseling and drug abuse treatment, programs to transition inmates back into their communities and additional support in the areas of parenting training, health and decision making.

**SUPPORT**

Unknown

**OPPOSITION**

Unknown

**FISCAL IMPACT:**

Unknown. Potentially positive.

Chapter

An act to add Section 4023.7 to the Penal Code, relating to incarcerated females in county detention facilities.

AB 931, as proposed to be amended, Ruskin. Corrections: county corrections model for female offenders.

This bill, as a five-year pilot project, would require participating county corrections to undertake various tasks related to female offenders. The bill would enable participating county corrections to develop comprehensive strategic plans and programs for prevention, early intervention, incarceration, incarceration alternatives, reentry and after care for female offenders. Female offenders, who committed nonviolent offenses to be housed in local community facilities during their term of incarceration, and participate in aftercare programs during probation. Specifically, the bill would require participating pilot counties to develop a process to secure up to a total of 1,000 community correctional center beds for nonviolent women offenders, and or 1,000 community-based beds for alternatives to incarceration and or 1000 reentry beds and programming for nonviolent female offenders.

This bill would require participating pilot counties to establish or rehabilitate community correctional centers to house inmates and probationers in accordance with the above provisions, develop community-based alternatives to incarceration and or reentry bed for nonviolent female offenders.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

Add 4023.7 to the Penal Code

Section 1 Gender-Responsive County Corrections Pilot Program

(a) Findings and declarations

California's female inmate, parole and probationers are

National studies have found that approximately 24 percent of female inmates are diagnosed with a severe mental illness; nearly 80 percent of those also experience co-occurring substance abuse disorder. Mentally ill offenders spend two or three times as long in jails than those with no mental health diagnosis for the same charge. Because of the complexity of issues, women mentally ill offenders remain disengaged from treatment and support that reduce their involvement in the criminal justice system and contribute significantly to over-crowding. Women mentally ill offenders represent a unique subset of the jail population, with characteristics, diagnoses and histories that differ significantly from men; and an estimated 50 percent of offenders with a mental illness recidivate within one year (Harris & Kepsell, 1998);

Nationwide studies have found that women offenders generally tend to be convicted for nonviolent crimes related to drug possession and property. Women offenders also tend to have higher incidence of mental illness, twice the rate of men, depression, addiction, post-traumatic stress and sexual abuse than men.

National studies further indicate that between 48 to 90 percent of women with mental health and substance abuse disorders have also been victims of interpersonal abuse or trauma (SAMHSA, 2005).

Two-thirds of women offenders have children under the age of 18 who lived with them prior to incarceration, increasing their risk of intergenerational abuse and involvement in the criminal justice system.

(b) Participating pilot counties would have the option of do any of the following to create a county female offender diversion, sentencing alternatives, incarceration and reentry reform model plan:

1. Develop policies and operational practices that are designed to ensure a safe and productive institutional environment for women offenders.
2. Community-based gender-responsive classification system
3. Gender-responsive staffing for women's correctional facilities and community-based programs.
4. Needs-based case and risk management tool designed specifically for women offenders.
5. Gender-responsive alternatives to incarceration that provide appropriate mental health and substance abuse treatment, support services, aftercare and comprehensive reentry plans.
6. Design and implement evidence-based gender specific alternatives to incarceration, rehabilitative programs, and transitional housing strategies, including wrap-around educational, health care, vocational, substance abuse, trauma, mental health treatment programs and transitional services that are designed to reduce recidivism of women offenders.
7. Method to build and strengthen systems of family support and family involvement during the period of the woman's incarceration.
8. Identify and develop a network of community-based culturally competent, gender-focused integrated services.

(c) Contract with a nationally recognized institution with expertise in evidence-based corrections and/or recognized gender-responsive experts to provide technical expertise, assistance and evaluation of the model plans, polices and programs.

(d) Establish an inclusive stakeholder, multi-agency women offender reform task force to oversee the development of the gender-responsive, women offender model plan, policies, programs facilities, alternatives and reentry services.

## Section 2.

(a) The participating pilot counties may develop a community-based female offender program whereby female offenders, who have committed nonviolent offenses, are housed in local detention facilities during their term of incarceration and participate in aftercare programming during probation. The facilities shall provide a continuum of services during the entire period that these offenders are under the jurisdiction of county corrections. Offenders shall be matched in a cost-effective manner with the facility that best achieves the goals of public protection and successful reentry.

(b) Participating pilot counties would develop appropriate evidence-based alternatives to incarceration including as diversion, pre-sentencing and as an alternative to incarceration;

(c) The participating pilot counties shall work with community-based providers to plan, develop and operate programs based on the latest research and focused on successful reentry.

(d) The participating pilot counties shall provide a report to the Legislature by June 30, 2011, on the outcomes and effectiveness of gender-responsive community correctional reentry programs.

## Section 3

Participating pilot counties may also develop gender-responsive evidence-based alternatives to incarceration for nonviolent offenders including programs for diversion and pre-sentencing, that could include: day treatment step-down programs that focus on intensive drug and alcohol and mental health treatment, job training, education, family and life skills.

#### Section 4

(a) It is the intent of the Legislature in adopting this measure to do the following:

1. Reduce crime and recidivism for women offenders.
2. Improve access to rehabilitation for women offenders.
3. Break the intergenerational cycle of incarceration
4. Reduce overcrowding in county jails to allow for conditions that promote effective rehabilitation
5. Improve outcomes of mentally ill and substance women offenders.
6. Ensure that resources directed to community correctional facilities do not diminish resources for programming in traditional detention facilities.
7. Ensure that women are placed close to their families and services in the community in order to aid in successful rehabilitation.

(c) Upon the one year anniversary of establishing female rehabilitative community corrections reentry programs, the participating pilot counties shall report to the Legislature with an evaluation of program implementation and any barriers to implementation that were identified.

#### Section 5

This chapter is funded through facility and program appropriations authorized under Chapter 7, Statutes of 2007 or through federal legislation, H.R. 11593, Second Chance Act, or other federal or state funds directed or redirected for the above purposes.

**DRAFT 4**  
July 2007

## County of San Mateo



## 2007-2008 State Legislative Session Program

San Mateo County Board of Supervisors

Rose Jacobs Gibson, District 4, President

Mark Church, District 1

Jerry Hill, District 2

Rich Gordon, District 3

Adrienne Tissier, District 5

DATEHERE

February 27, 2007

February 6, 2007

January 23, 2007

January 2007

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  - B. Human Services
  - C. Health Services and Hospitals
  - D. Public Safety and Justice
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## INTRODUCTION

The mission of the San Mateo County Legislative Program is to sponsor legislative proposals and to influence the state budget process and legislation that relates to the people, places, prosperity and partnerships of our community. The 2007-2008 State Legislative Session Program reflects San Mateo County's commitment to our Shared Vision 2010.

The overarching goal of the San Mateo County Legislative Program is to identify legislation that could impact San Mateo County and to attempt to influence the outcome of such legislation. In this effort, the Legislative Committee with the support of County staff will assess the impact of legislation and refine and represent the Board's positions on the range of proposals, priorities and policies found in this document. The goal of the Legislative Program also includes legislative ideas that originate from County staff and Board members. This document, the 2007-2008 State Legislative Session Program, is intended to provide a basic policy framework in which San Mateo County can work toward this goal. Divided into three general categories (legislative proposals, priorities, and policies), the Program asserts some of the key issues and general positions for issues of concern to San Mateo County.

While this document attempts to cover the breadth and depth of legislative issues that may have an impact on San Mateo County, it is not comprehensive, complete or final. The Legislative Committee will review policy positions related to legislation and make recommendations to the full Board. All legislation, on which the County takes a position, will be tracked through the legislative process. For relevant issues, County staff or consultants will prepare position letters for relevant legislators and committees, deliver testimony at hearings, conduct other advocacy roles, and provide regular status reports to the Legislative Committee and the Board. Some issues may require heightened advocacy. As a result, Board members may testify or meet with relevant legislators. With the approval of the Director of Intergovernmental and Public Affairs and the Board President, staff will utilize the authority found in the 2007-2008 Legislative Session Program in lieu of an official Board position to advocate on particular legislation or issues that conform to adopted policy positions.

## COUNTY SPONSORED AND COSPONSORED LEGISLATIVE PROPOSALS

This section details legislative proposals that San Mateo County will pursue, either through sponsorship or co-sponsorship, in the upcoming session. Once approved by the Board of Supervisors, County staff and legislative consultants will work to develop the proposals, identify bill authors/sponsors and shepherd them through the legislative process. The Board of Supervisors will receive regular updates on the status of the legislative proposals and may be asked to testify before the legislature.

### 1. San Mateo County Demonstration for Orders to Seek Employment for Non-Delinquent Child Support Obligor

**Proposal:** Provide the Superior Court of the County San Mateo the flexibility to order unemployed parents to seek work at the time of the initial order for support rather than wait until an obligor has become delinquent.

**Background:** Current law (FC §4505) requires delinquent child support obligors that allege they are not paying because they are unemployed to contact at least 5 employers a week and report back to the child support agency, the court or another entity. This requirement may only be imposed after the obligor has become delinquent. The seek work order cannot be imposed until an unemployed obligor defaults on their child support payments. Since orders cannot be reserved due to unemployment alone, this contributes to the creation of arrears. This proposal would allow San Mateo County's Courts to order unemployed parents to seek work at the time of the initial order for support. (2006, DCSS)

### 2. Foster Family Regional Rate Pilot

**Proposal:** The Foster Family Regional Rate Pilot would provide a 35% increase to the Foster Family Home (FFH) rates for three counties, a large (Santa Clara), medium (San Mateo) and small (Marin), that have among the highest 2006 Fair Market Rents (FMR) in California. The pilot would last five years to study whether a rate increase can better support current and prospective foster parents in high FMR counties.

**Background:** The recruitment of foster family homes is critical to keeping foster children in their communities. Studies show that in terms of reunification, it is critical that parents and children establish a regular and consistent pattern of visitation during the first six months after removal. While there are many factors in a family's decision to become a foster family, the San Mateo County Foster Parents Association asserts that foster parents point to low financial assistance as a critical factor that influences whether or not they continue fostering children. The Human Services Agency's Foster Parent Recruiter often finds that families who express strong interest in fostering are immediately dissuaded upon disclosure of the amount of financial assistance (commonly referred to as the reimbursement rate and/or rate). With a few minor exceptions the current payment rate for out-of-home placements is the same throughout California's counties. The average payment rate of \$505 (range \$425-597 for children ages 0-4 through 15-19, respectively) helps cover half or more of the FMR in 74% of California counties; whereas, in San Mateo County, \$505 helps cover only 34% of the FMR (assuming a two-bedroom apartment). Staff believes that high costs of living consume excessive amounts of FFH funds and can negatively impact prospective and current foster parents' decision to be foster parents.

### 3. Next-of-Kin “Right to Know”

**Proposal:** The Next-of-Kin “Right to Know” law would require coroners to notify, in a timely manner, known next of kin that the coroner may retain parts of a body. This proposal would also require that the coroner offer to return the parts of the body. This proposal would exempt notification if it would interfere with a criminal investigation.

**Background:** Current law grants the coroner the right to retain parts of the body removed at the time of autopsy or acquired during a coroner's investigation as may, in the opinion of the coroner, be necessary or advisable. With minor exceptions, current law does not require notification or consent of next of kin. In many instances next of kin are unaware that coroners can remove and retain parts of the body. The discovery that a coroner has removed and retained a body part, especially if a family has already buried their loved one, can prevent closure by survivors and cause other serious difficulties. Balancing the duty of the coroner to determine a cause of death and the needs of the next of kin to obtain accurate information in a timely manner, this proposal would require notification of the next of kin, but it would not require consent of the next of kin.

### 4. County Recording Fees

**Proposal:** Allows any county to increase real estate document recording fees to fund affordable housing development.

**Background:** There is not ongoing, dedicated revenue source for the development of affordable housing. While bond funding has helped to create significant amounts of affordable housing, the sporadic availability of funding for affordable housing prevents consistent and reliable resources that can be better used to meet affordable housing development opportunities as they arise. This proposal would allow any county to enact an ordinance increasing the recording fee on eligible real estate documents to no more than \$5 per page for each page after the first page. The funds generated from this increase would be used to help finance the construction, rehabilitation, or purchase of affordable housing for very low income households, lower income households, and moderate-income households and to fund any local matching contributions required pursuant to federal law. With an estimated average 8.7-page document, the increased cost per document could be as high as an additional \$43.50. Generating an estimated \$6 million annually.

### 5. Redevelopment Authority Low and Moderate Income Housing Fund Pooling

**Proposal:** This proposal would create a San-Mateo-County-only pilot allowing the County's redevelopment authorities to loan or transfer up to 25 percent of each jurisdiction's Low and Moderate Income Housing Fund to the Housing Endowment and Regional Trust (HEART) of San Mateo County. HEART would then be able to use the various jurisdictions' funds and other funds to support affordable housing developments within any of the participating jurisdictions territories.

**Background:** Under current law, redevelopment authorities are limited to spending their Low and Moderate Income Housing Fund within their territory. Often this funding accrues very slowly, preventing timely, meaningful impact on affordable housing development opportunities. This proposal would enable RDAs to pool their funds in HEART. Pooling RDA funds would enable HEART to leverage better other public and private funds as well as to apply funds in quantities that can have an impact and at those times when development opportunities arise.

**6. Dedication of Proposition 1C (Housing and Emergency Shelter Trust Fund Act of 2006) to local housing trust funds**

**Proposal:** This proposal would dedicate a to-be-determined sum from the Affordable Housing Innovation Fund, the Regional Planning, Housing and Infill Incentive Account, and the Transit-Oriented Development Account to local housing trusts.

**Background:** Proposition 1C was approved by California voters in November 2006. It includes a number of funds and accounts dedicated to various housing and emergency related activities. None of the funding is directed to or is prioritized for local housing trusts. This is in contrast to Proposition 46 (the Housing and Emergency Shelter Trust Fund Act of 2002), a housing related bond approved by California voters in 2002. Local housing trusts are reported to provide significant “leveraging” of dollars that can significantly increase the number of housing units made affordable. This proposal would expand on local housing trusts fund source options.

**7. Dedication of Educational Revenue Augmentation Fund (ERAF) revenue to local housing trusts.**

**Proposal:** This proposal would create a state matching program for affordable housing by requiring any contribution by a city or county into a local housing trust fund established under this act to be matched by an equivalent contribution from the Educational Revenue Augmentation Fund (ERAF) in that county.

**Background:** The state has an express interest in promoting the creation of affordable housing. While there are a number of state and federal programs that support the creation of affordable housing, there exist no on-going dedicated funding sources for local housing trust funds, which can greatly expand the impact of government related funds through “leveraging” of such funds with other sources. This proposal would provide clear incentives for local financial support of affordable housing by creating a state match through ERAF.

**8. County corrections model for female offenders**

**Proposal:** This proposal would create a five-year pilot project enabling participating counties to develop a process to secure up to a total of 1,000 community correctional center beds for nonviolent women offenders, and/or 1,000 community-based beds for alternatives to incarceration and/or 1000 reentry beds and programming for nonviolent female offenders. This proposal would require participating county corrections to undertake various tasks related to female offenders and to develop comprehensive strategic plans and programs for prevention, early intervention, incarceration, incarceration alternatives, reentry and after care for female offenders. Female offenders convicted of nonviolent offenses would be housed in local community facilities during their term of incarceration, and participate in aftercare programs during probation. This bill would require participating pilot counties to establish or rehabilitate community correctional centers to house inmates and probationers in accordance with the above provisions, develop community-based alternatives to incarceration and/or reentry beds for nonviolent female offenders.

**Background:** While there has been much attention given to corrections reform, there has been little discussion about the unique needs of female offenders. Evidence drawn from a variety of disciplines and effective practice suggests that addressing the realities of women’s lives through gender-responsive policy and programs is fundamental to improved outcomes at all criminal justice phases. This proposal is an outcome of San Mateo County’s Women’s Criminal Justice Summit in February 2007.

## 2007-2008 STATE LEGISLATIVE PRIORITIES

This section highlights the most important 2007-2008 Legislative Session issues that could significantly affect San Mateo County. While San Mateo County will not actively pursue legislation, in the following areas, the following priorities will receive heightened scrutiny and may warrant significant involvement on the part of County staff or Board members. The County may request amendments to legislation in these priority areas—amendments that conform to the general goals and objectives of the below priorities.

### **1. Protecting County Revenues and Operations**

San Mateo County has had a long-standing policy relating to timely and full funding for state-mandated and partnership programs, increased flexibility and the simple elimination of programs not properly funded by state and/or federal funds (2001-2002). The County generally supports the principle and related legislation that guarantees local governments including schools, cities, special districts and counties reliable, predictable and equitable funding. This support includes the proper allocation of existing tax revenues. The County supported the passage of Proposition 1A in November 2004. San Mateo County opposes state program reductions that have the effect of increasing reliance on county “safety net” services.

Should timely and full funding for programs not be maintained with the current budget revenue and expenditure levels, the County would support increases in alcohol and cigarette taxes as well as changes in the state government’s business practices that lead to greater economies and improved program outcomes.

Not mutually exclusive to increases in revenues, the County supports, in concept, the reduction in funding for various programs and activities only when the concomitant requirement to provide such programs and activities is relieved. The Board has not considered what specific programs would be acceptable for reductions in funding and expressly reserves its ability to take a position on this issue should (as) it arises during the next legislative session and any pertinent special sessions.

The County supports restoration of historic reductions in local government funding and increased flexibility in implementing and administering services. Providing local governments with greater flexibility to provide services to local communities ensures that services match local needs and greater efficiencies for limited resources. The County also supports the preservation and increase of funding for Health and Human services “realigned” to counties in the early 1990s. The County opposes any effort to alter the existing Realignment funding allocation formula if it will result in a reduction of funds to San Mateo County.

For programs, like trial courts, no longer operated by counties, the County supports the elimination of maintenance of effort requirements and equitable transition of responsibilities and facilities to the State.

### **2. Infrastructure Needs, Investments and On-going Revenues**

In November 2006, California voters approved \$42.7 billion (from Propositions 1B-E and 84) in bond funding for infrastructure needs. Where appropriate, the County supports allocation

formulas that ensure the County receives a fair share of infrastructure bond funding by reflecting, in part, the need and the wide variation in the cost of living and doing business among California's diverse communities. San Mateo County, like others, is already addressing local infrastructure needs through local efforts such as housing trust funds and dedicated revenues for transportation. As a result, the County supports recognition of local efforts to address infrastructure needs by ensuring that housing trusts gain access to Proposition 1C funding.

Of greater importance is the need to secure additional and/or dedicated on-going revenues for the operations and maintenance of existing local infrastructure and future infrastructure improvements. While capital improvements are needed, maintaining existing infrastructure first—"fix it first"—is a sound, cost effective investment of tax dollars. Unfortunately, revenues have not been able to keep pace with the costs of operating and maintaining our critical infrastructure. As a result, the County supports:

- Funding that adequately supports local infrastructure needs;
- From existing revenue sources like Proposition 42 and SAFETEA-LU, funding allocations that reasonably support local needs;
- Consideration of additional and/or dedicated statewide on-going revenue sources that support local operations and maintenance of existing and future infrastructure needs;
- Increasing local flexibility to create new and increased local transportation revenue sources such as local transportation sales taxes, vehicle license fees and
- Updating, adjusting and/or indexing the current gas tax;
- Statewide policies that ensure rehabilitation and operation and maintenance of local infrastructure are among the top funding priorities; and
- Balanced with the need for environmental protection, the streamlining of regulatory requirements that reduce the costs of both initial construction of and on-going operations and maintenance of local infrastructure.

### **3. Health Care**

The County supports universal health care coverage in California. However, the existing system of publicly funded health care requires greater support from both the federal and state levels of government. In addition to expanding health care coverage to ensure access to all Californians, the County supports state efforts to adequately fund existing public health care programs. The state cannot rely upon the County to expand health care coverage and access—such expansions must be funded from other levels of government. Proposed health care reforms should include:

- Health care services for prisoners, offenders, detainees and undocumented immigrants;
- Adequate maintenance and support for "safety net" health care to ensure that such care is stable and viable;
- Reforms that simplify the health care system for recipients, providers and administration;
- Meaningful participation from the federal government that maximizes federal financial participation;
- Access to health education, preventive care, and early diagnosis and treatment that assist in controlling costs through improved health outcomes;
- County participation in all aspects of planning and implementation.

**4. Corrections Reform: Preliminary draft—to be further developed**

With increased attention on recidivism and overcrowding in state detention facilities, corrections reform will likely receive increased attention in the near future. Since local and state corrections systems are significantly intertwined, both the state and local governments must work collaboratively to achieve any meaningful improvements in California's corrections system. To that end, the County supports:

- A consistent and committed partnership between local and state governments;
- Adequate funding for existing, new and expanded programs that rely on county services to ensure successful outcomes for offenders;
- Investment in local programs and services that reduce recidivism and the growth in the population of incarcerated individuals such as greater funding for adult probation services modeled after the Juvenile Justice Crime Prevention Act (JJCPA) and increased funding for the JJCPA itself;
- An increased focus on adult and juvenile offender rehabilitation that recognizes the importance of an offender's ties to his/her community;
- A greater recognition of the importance of adequate alcohol and other drug treatment and mentally ill in-custody services;
- Local flexibility that recognizes the unique characteristics of each county and that enables local communities to best meet the needs of offenders;

**5. Use of County-specific Cost of Doing Business in State Funding Allocations**

While the cost of doing business varies widely by county, most state allocations of funding to the counties do not account for such differences. For example the Substance Abuse and Crime Prevention Act (SACPA) allocation methodology, assumes that a dollar of allocation can purchase an equal amount of services in each county. In contrast, Federal funding to states accounts for cost differences among states. The formula in the Federal Public Health Service Act for allocating funds to the states for the Federal Substance Abuse Prevention and Treatment (SAPT) Block Grant utilizes a Cost of Service Index Factor whose purpose is to accurately reflect the differences between California and the other states in the cost of providing substance abuse services. The County supports adjustments to county human service fund allocations that account for the differences among California counties in the cost of providing services.

## STATE LEGISLATIVE POLICIES

This section describes San Mateo County's general positions on legislative issues that are expected to appear in the next legislative session, appear regularly at the federal and state levels or are standing policies of the County. While the policies are broken down into five general categories (Administration and Finance; Human Services; Health Services and Hospitals; Public Safety and Justice; and Land Use, Housing Transportation and Environment) and a miscellaneous category, many of the policies bridge more than one category. Every effort has been made to place properly each of the policies.

### **Administration and Finance**

The County supports:

1. Preservation of existing revenues and revenue authority, including the elimination of ERAF and maintenance of effort (MOE) requirements. The County opposes efforts to expand MOE requirements and ERAF. Maintenance of effort requirements tend to penalize more progressive counties that implement programs before the statewide program.
2. Maintenance of property tax revenues directed to local government. The County opposes efforts to direct property tax revenues away from local government.
3. Efforts to allocate funding through block grants, which allow for maximum flexibility in the use of funding within the designated program.
4. Increased funding for county infrastructure needs, should such funds be available.
5. Examination of equitable funding structures and formulas that reflect a county's responsibilities, demographics, cost of living and caseloads. The County opposes funding restructuring efforts that do not ensure adequate revenues for new responsibilities and obligations.
6. Federal funding mechanisms that allow funding to flow directly to local governments rather than through state government.
7. Efforts to create faster reimbursement processes from state and federal sources to local government.
8. Increased ability to utilize state or local matching funds to draw down additional federal funds.
9. "Revenue neutrality," that requires the transfer of adequate revenues to accompany the corresponding responsibility. Generally, the County opposes the use of local revenues to satisfy state or federally mandated activities.
10. Economic Development efforts that grow the California and local economies in an sustainable (environmental and economic) fashion.
11. Efforts that improve voting accessibility and the implementation and compliance of the Help America Vote Act (HAVA). (2006, CoD)

### **Human Services**

The County supports:

1. Preservation of the 1991 county health and human services realignment program. The County also supports a careful and cautious analysis of any efforts to alter the current system in light of California's fiscal constraints. (2001-2002, revised)
2. Increased flexibility for the administration of CalWORKs. Flexibility in the CalWORKs program should include income eligibility standards for child care.
3. Performance incentives and other rewards for cooperation and collaboration among local governments, including regional and sub-regional efforts to provide accessible, affordable and transit oriented housing. (2001-2002)
4. Preservation of children's protective services, participation and funding for foster/adoptive programs and funding for child care. (2001-2002, revised)
5. Maximum flexibility to institute innovative practices in child welfare and foster care such as "wraparound" services and multi-discipline service approaches.
6. Increased funding and greater funding flexibility for foster care services, which are critical to adequately protect children in need.
7. Protection of counties from any penalties associated with child support enforcement-reporting violations associated with the state's failure to adequately implement an electronic reporting system.
8. Elimination of or reductions to federal penalties related to food stamps.
9. Where appropriate, aligning incongruent rules for resource limits and treatment of particular types of resources in the CalWORKs, Food Stamps and Medi-Cal programs. (2005, HSA)
10. Preservation of existing safety net program benefits and income eligibility threshold, e.g., Medi-Cal, Food Stamps, CalWORKs. (2005, HSA)
11. Recognition that efforts to improve the quality of health care through staffing standards must be accompanied by additional state or federal funds (2005, SMMC).
12. Funding for Proposition 36, the Substance Abuse and Crime Prevention Act (SACPA) of 2000, that adequately meets the program costs and that is allocated based on a formula using, among other factors, population size, cost of doing business, and participation rates. (2005, CMO)

### **Health Services and Hospitals**

The County supports:

1. The creation and funding for a health care system that provides access to health insurance to all San Mateo County residents regardless of their ability to pay. To that end, the County supports efforts to reduce or eliminate premiums and co-payments that serve to deny access to care.
2. Improved access to health care and increased stability of the health care system through Medi-Cal. The County supports increased reimbursement rates, full funding for emergency room services and costs, expanded dental coverage, increased funding for outreach and enrollment, funding and flexibility to provide increased health care and mental health services in the County's jail system.
3. Expanding the Healthy Families program (State Children's Health Insurance Program (SCHIP)) to include families of eligible children and preserving federal funds to California.
4. Full funding for Emergency Medical Service program costs.

5. Legislation and budget actions that reduce the fiscal impact of the In-Home Supportive Services program on county revenues, including Realignment funds. The County supports examinations of the In-Home Support Services program and its impact on other programs realigned to counties, particularly its impact on mental health services and efforts to secure dedicated funding for mental health programs.
6. Legislation that facilitates the implementation of the U.S. Supreme Court's Olmstead Decision at the State and local level. Community-based services that enable individuals with disabilities to live independently for as long as possible are the cornerstone to the implementation of Olmstead. (2005, CoD)
7. Preserving and/or advocating for the accessibility of community infrastructure and anti-discrimination provisions that often come under attack by efforts to weaken or dilute the Americans with Disabilities Act (ADA) of 1990 and California Government Code § 12955 (housing) § 12940 (employment) § 12926.1 (definitions of disability) and Civil Code § 51 (prohibits discrimination). (2006, CoD)
8. The integration of Long Term Care that is aimed at supporting people with disabilities to have the best possible quality of life through a system built around consumer needs and preferences that allows local flexibility in providing services and supports. (2006, CoD)
9. Full funding for the County's costs incurred in providing mental health services to special education students and ensuring that AB 3632 program service responsibilities are assigned to schools. (2006, Health)
10. The Mental Health Services Act funding allocation/distribution formulas that recognize counties' historical support of mental health programs, geographic differences in the cost of living and cost of doing business, the need for self-sufficiency of clients and that considers "under service" to individuals as well as unmet need as a lack of any service to eligible clients. (2005, Health)

## **Public Safety and Justice**

The County supports:

1. Preservation of funding for local public safety efforts, including inmate health, juvenile probation and prevention programs, mental health and drug and alcohol programs. (2001-2002)
2. Preservation of funding and, in the future, seek additional funding for Proposition 36 implementation. Support statutory changes that improve the operational efficiency and local flexibility of the program. (2001-2002, revised)
3. Full funding and/or equity in the trial court realignment block grant. The County also supports efforts to continue examination into trial court funding and maintenance including the transfer of trial court facilities.
4. Full funding for the cost of booking and processing of persons arrested by public entities in San Mateo County. In the event full funding is not made available through a state appropriation or other fund source, the County supports reinstatement of booking fees that ensure full cost recovery.
5. Increased regulation of firearms.
6. Efforts to facilitate the construction and operation of youth services facilities, such as increased or reallocated funding for correctional facilities that are ready for immediate construction.

7. Increased funding for substance abuse treatment, mental health services and other diversionary services for inmates.
8. Continued review of the alignment of Chief Probation Officer selection, appointment and retention authority with funding. The County also supports cautious review of any potential separation of adult and juvenile probation activities.
9. Efforts to align law library costs, including facilities maintenance, with trial courts rather than the County.
10. Increased federal funding for State Criminal Alien Assistance Program (SCAAP).
11. Disaster preparedness measures that enable local governments to better plan for and respond to emergencies and disasters.

### **Land Use, Housing, Transportation and Environment**

The County supports:

1. Solutions and funding for the region's housing crisis that address the needs of homeless, lower-income residents, CalWORKs participants and at-risk populations including the housing needs of people with disabilities and the elderly.
2. Efforts to preserve affordable and accessible housing and the development of new affordable and accessible housing through activities including additional funding for local housing trust funds, development of a statewide and national housing trust funds, and efforts to increase the amount of multi-family housing in San Mateo County.
3. Smart Growth efforts and other land use decisions that facilitate appropriate mixed use developments along efficient, public transportation corridors. The County also supports an examination of current rules and standards that benefit lower density development (over higher density development), vehicular movement at the expense of pedestrian traffic and safety. While the County supports development incentives for Smart Growth related activities, the County opposes efforts to divert or restrict funding usage to specific programs.
4. Increases in Housing Assistance Payments and Administrative Fee amounts and greater flexibility for use of Section 8 Housing Choice Voucher Program funds. The County opposes efforts to reduce funding amounts in this arena and or limitations on the flexibility of use of funds. (2006, Housing)
5. Renewal of subsidies for the Supportive Housing Program as well as the Shelter Plus Care Program. These programs fund San Mateo County's transitional and permanent supportive housing for homeless families and homeless persons with disabilities. It also is the primary funder of our homeless providers for support staff and program operations. These funds also support rental assistance for disabled homeless people. (2006, Housing)
6. Meaningful reform related to redevelopment agencies—reform that includes an examination of the definition of blight and of project area mergers. (2006, CMO)
7. Careful and cautious review of the implementation of Proposition 50 water bond funds.
8. Careful and cautious examination of state efforts to manage regional growth issues.
9. Maintenance of adequate open space/park lands through increased funding for development easements and needed restoration and rehabilitation activities.
10. Efforts to protect, conserve, restore, and enhance environmental resources of the San Mateo County, its coast and adjacent waters for environmentally sustainable and prudent use by current and future generations. (2005, ESA)

11. Increased funding to address the growing Sudden Oak Death syndrome affecting several California coastal counties. (2002, ESA)
12. The Legislative Analysts Office recommendation to require a statewide transportation needs assessment every five years, if the assessment has no fiscal impact on County funds or revenues.
13. Changes in policies and practices that result in a net reduction in global greenhouse gas emissions; increased energy efficiency and conservation efforts that reduce California's per-capita need for energies including electricity and fossil fuels; increased production and use of renewable energies that grows the renewable energies "market share" of California's energy consumption profile; and, when necessary, non-renewable energies development that meets environmental reviews, that maintains or exceeds current environmental and/or emission controls, and that best protects our natural environments and offshore areas.

### **Miscellaneous**

The County supports:

1. The development of regulations and the implementation of Proposition 49, the After School Education and Safety Program Act of 2002, which will benefit the County's existing system of before and after school programs.
2. Legislation that will benefit horseracing and other subsequent horse racing related activities in and around Bay Meadows.
3. Legislation that conveys to domestic partners any and all benefits and advantages enjoyed by married couples.

The County opposes:

1. Limitations on live horseracing meetings conducted by the San Mateo County Fair or satellite wagering in San Mateo County. (B&P § 18549.14, 19605.45)